

# EXHIBIT N

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14 TRANSCRIPTION OF AUDIO RECORDED PROCEEDINGS

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16 RECORDED PROCEEDINGS OF: Tennessee Legislative Session

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18 DATE RECORDED: April 4, 1977

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22 Transcribed by:  
23 Melissa Iadimarco  
24 Court Reporter/Transcriptionist  
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## P R O C E E D I N G S

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2 SENATE SPEAKER: House Bill No. 425 by  
3 Representative Dubury (inaudible) an act to enact the  
4 Vital Records Act of 1977 to provide for an Office of  
5 Vital Records within the Tennessee Department of  
6 Public Health and to institute a comprehensive  
7 statewide system of vital records and to rebuild  
8 (inaudible) Sections 53-401 through 53-458 inclusive,  
9 the same being all of Chapter 4 of Title 53 of the  
10 Tennessee Code annotated.

11 SPEAKER: Let it debate.

12 SENATE SPEAKER: The senate bill is on the desk.  
13 Without objection, let the proper motion substitute  
14 and conform the Senate bill to the House bill be  
15 spread upon a journal and show him as passed. We have  
16 an amendment on the desk.

17 SPEAKER: Thank you, Mr. Speaker. For the  
18 purpose of discussion, calling up amendment, I move  
19 passes up senate bill 162 on third and final reading.

20 SENATE SPEAKER: Proper motion. Is there a  
21 second? Properly second. Call up the first  
22 amendment, Mr. Clerk

23 THE CLERK: Amendment No. 1, a committee  
24 amendment by Representative Ashton to amend the house  
25 bill -- Senate bill 162 by deleting Section 4,

1 Paragraph C the second sentence beginning with the  
2 words "information pertaining to the father" and  
3 ending with the words "is controverted" and is further  
4 amended by the deleting from Section 5 Paragraph F the  
5 words "and social policies", and is further amended by  
6 the deleting all of Paragraph E, Subsection 1 of  
7 Section 6 and inserting in lieu thereof, a new  
8 Paragraph E, Subsection 1 to Subsection 6 to read as  
9 follows: "If the mother was married at the time of  
10 either conception or a birth or any time between  
11 conception and birth to the natural father of the  
12 child, the name of the father shall be entered on the  
13 certificate and the surname of the child shall be  
14 entered on the certificate as that of the natural  
15 father. "

16 And is further amended by deleting from Section  
17 9, Paragraph B, the words "be made on a form  
18 prescribed and furnished by the state registrar and  
19 shall" and is further amended by deleting from Section  
20 9, Paragraph F the words "the 10th day of the calendar  
21 month, following the month in which it was entered"  
22 and inserting in lieu thereof the words "no later than  
23 40 days from entry of the order" and is further  
24 amended by inserting in Paragraph G of Section 9  
25 between the words "some" and "shall" the words "his or

1 her parent or legal guardian" and is further amended  
2 by inserting in Paragraph C of Section 18 between the  
3 words "reinternment" and "shall" the words "in case of  
4 movement of cemeteries or plots of cemeteries or for  
5 reuniting families", and is further amended by adding  
6 to Paragraph B of Section 21 a new sentence, which  
7 shall read "minor corrections shall mean amendment of  
8 obvious errors, transposition of letters and words of  
9 common knowledge or omissions" and is further amended  
10 by deleting all of Paragraph A of Section 26, and is  
11 further amended by deleting the first paragraph of  
12 Section 27 in its entirety.

13 SENATE SPEAKER: Whose amendment? Representative  
14 Ashton?

15 REPRESENTATIVE ASHTON: (inaudible) to the House,  
16 the amendment is long and as some people have said, it  
17 looks like it rewrites the bill. But it really  
18 doesn't. It changes a few legal problems that  
19 developed as far as the Courts administration of  
20 certain aspects of the vital records bill is  
21 concerned. And that allowing the court's latitude and  
22 prescribing what would be in its court orders, as they  
23 pertain to adoption, the amount of information that's  
24 necessary.

25 It also limits the jurisdiction of the

1 commissioner -- director of Vital records on  
2 disinterning and reinterning bodies to that cemetery  
3 or part of a cemetery has to be moved, it still  
4 requires a certificate of a medical examiner and a  
5 judge on internment or disinternment for forensic  
6 purposes.

7 Pending any questions on the amendment,  
8 Mr. Speaker, I would move adoption of Amendment No. 1,  
9 which is a committee amendment.

10 SENATE SPEAKER: Is this a committee amendment?

11 REPRESENTATIVE ASHTON: A committee amendment.

12 SENATE SPEAKER: I believe, under the rules, it  
13 requires a committee chairman, Mr. Ashton.

14 SPEAKER: Representative Williams (inaudible),  
15 Mr. Speaker.

16 SENATE SPEAKER: Will you yield? Representative  
17 Gill.

18 REPRESENTATIVE GILL: I defer to Mr. Ashton.

19 SENATE SPEAKER: Okay. Proper motion. Is there  
20 a second? Probably a second. Representative Brad?

21 REPRESENTATIVE BRAD: Our response to the  
22 amendment is -- Representative Ashton, is in any way  
23 disturbed by the part of the section that says that if  
24 you don't know who the father is, leave that blank?

25 REPRESENTATIVE ASHTON: No, sir. That part of

1 the bill is still in there, in that there is no direct  
2 agreement by the person claiming to be father, no name  
3 would be put in for the father in this amendment.

4 SENATE SPEAKER: Further discussion on the  
5 amendment? Are you ready for the questions? So any  
6 members in favor of the adoption Amendment No. 1, the  
7 House -- Senate bill number is 162. Vote aye. All  
8 opposed, no. You adopt.

9 Next amendment, Mr. Clerk?

10 THE CLERK: Amendment No. 2, a committee  
11 amendment by Dr. Gill and (inaudible) to amend Senate  
12 bill 162 by deleting Section 21 Paragraph D in its  
13 entirety and then stating in lieu thereof a new  
14 Paragraph D to read as follows: "The sex of an  
15 individual will not be changed on the original  
16 certificate of birth as a result of sex change  
17 surgery."

18 SENATE SPEAKER: Mr. Gill.

19 REPRESENTATIVE GILL: Mr. Speaker, I'd like to  
20 further this amendment to our august legal counsel and  
21 the general welfare committee, Representative Ashton.

22 SENATE SPEAKER: Who? Representative Ashton,  
23 you're recognized, sir.

24 REPRESENTATIVE ASHTON: Thank you, Mr. Speaker  
25 pro tem. Ladies and gentlemen of the jury, this is a

1 section of the bill I'd advise all of you, if you have  
2 the bill, to take it out and look at it so that you  
3 can read that section. This is the section that  
4 caused alleged controversy originally. And it  
5 pertains to the modification of birth certificates  
6 where there has been a sex change operation.

7 And the amendment to leave section -- Subsection  
8 B of Section 21 and insert in lieu thereof, that the  
9 certificate cannot be changed as it pertains to sex of  
10 the individual, but that upon -- by correlation upon a  
11 court order, the name could be changed.

12 And the intent of this amendment and the intent  
13 of the committee when it adopted it was that those  
14 natural events which occur at birth should not be  
15 allowed to be changed by an individual later on in  
16 life, that those events that are described to a  
17 person after he was born, such as his name, the name  
18 of his parents, the date of his birth, even, which are  
19 not physical facts, should be allowed to be changed by  
20 court order.

21 And the reasoning for the amendment being that I  
22 move adoption amendment No. 2.

23 SENATE SPEAKER: Proper motion? Is there a  
24 second? Properly seconded. Committee amendment. Any  
25 discussion? Ready for the question. So any members



1 in favor of the adoption amendment No. 2, vote aye.  
2 All opposed, vote no. You adopt. Next amendment,  
3 Mr. Clerk.

4 THE CLERK: Amendment No. 3 by representative  
5 Ashton to amend Senate bill 162 by deleting from  
6 Section 20, Subsection A, the last two sentences of  
7 said section so that this section as amended shall  
8 read "A, for each divorce, dissolution of marriage or  
9 annulment by any court in this state, a record shall  
10 be filed with the Court of the clerk of the court with  
11 the Office of Vital Records and shall be registered,  
12 first has been completed and filed in accordance with  
13 this section."

14 SENATE SPEAKER: Representative Ashton?

15 REPRESENTATIVE ASHTON: Mr. Speaker, ladies and  
16 gentlemen of the House, this amendment requires the  
17 clerk of the Court in divorce cases, as in other cases  
18 involving right of title records to maintain and  
19 transmit to the Bureau of Vital Statistics such  
20 statistical information as they might require, so that  
21 they might be able to furnish this to other agencies  
22 to do socioeconomic research.

23 And pending any questions, I move the adoption of  
24 the amendment.

25 SENATE SPEAKER: Proper motion, properly second

1 by (inaudible) of the bill. Any discussion on the  
2 amendment? Be ready for the question. So any members  
3 in favor of the adoption of amendment No. 3 Senate  
4 bill 162, vote aye. Opposed, no. You adopt. Next  
5 amendment, Mr. Clerk.

6 (Audio recording concluded.)  
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## C E R T I F I C A T E

I, MELISSA IADIMARCO, do hereby certify that I was authorized to transcribe the foregoing recorded proceeding, and that the transcript is a true and accurate transcription of my shorthand notes to the best of my ability taken while listening to the provided recording.

Dated this 2nd day of March, 2020.



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MELISSA IADIMARCO, CSR